

of Washington into the State of Arkansas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Case) "Gorman's Brand Chum" (or "Pink") "Salmon Distributed By Gorman and Company, Seattle, U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed and putrid animal substance.

On May 12, 1925, the Walker Grocery Co., Stamps, Ark., claimant, having consented to the entry of a decree and to the reconditioning of the product under the supervision of this department, judgment of condemnation was entered, and it was ordered by the court that the good portion of the product be delivered to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, and the destruction of the portion unfit for human consumption.

W. M. JARDINE, *Secretary of Agriculture.*

14431. Adulteration and misbranding of quinine sulphate pills, belladonna leaves fluidextract, morphine sulphate tablets, nitroglycerin tablets, tincture of aconite, caffeine soda benzoate tablets, and strychnine sulphate tablets. U. S. v. Brewer & Co. Plea of nolo contendere. Fine, \$100. (F. & D. No. 19699. I. S. Nos. 13902-v, 14278-v, 14279-v, 14281-v, 14283-v, 22405-v, 22407-v, 24376-v, 24379-v, 24380-v.)

On April 28, 1926, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Brewer & Co., a corporation, Worcester, Mass., alleging shipment by said company, in violation of the food and drugs act, in various consignments from the State of Massachusetts into the State of Maine, on or about October 17, 21, and 27 and November 18, 1924, of quantities of quinine sulphate pills, belladonna leaves fluidextract, morphine sulphate tablets, nitroglycerin tablets, and tincture of aconite, respectively, from the State of Massachusetts into the State of New York, on or about February 21, and March 9, 1925, of quantities of morphine sulphate tablets and quinine sulphate pills, respectively, and from the State of Massachusetts into the State of Minnesota, on or about June 8, 1925, of quantities of caffeine soda benzoate tablets and strychnine sulphate tablets, respectively, which products were adulterated and misbranded. The articles were labeled, variously, in part: "100 Quinine Sulphate Pills 2 grs. Brewer & Co. Inc. * * * Worcester, Mass."; "Fluid Extract Belladonna Leaves * * * Standardized to contain 0.3 Gm. of mydriatic alkaloids in each 100 cc"; "Tablets * * * Morphine Sulphate ½ grain" (or "¼ grain"); "Tablets Nitroglycerin 1-100 grain"; "Tincture Of Aconite (Tinctura Aconiti U. S. P.) Assayed * * *. One Hundred mls yields not less than 0.045 Gm. nor more than 0.055 Gm. of the ether soluble alkaloids of Aconite"; "Tablets * * * Caffeine ½ Grain Soda Benzoate ½ Grain"; "Tablets * * * Strychnine Sulphate 1-30 Gr. * * * Physicians & Hospitals Supply Company, Inc. Manufacturing Chemists Minneapolis, Minn."

Analysis by the Bureau of Chemistry of this department of samples of the articles showed that: The morphine sulphate tablets labeled "½ grain" contained not more than 0.44 grain of morphine sulphate each and those labeled "¼ grain" contained 1.6 grain of morphine sulphate each; the belladonna leaves fluidextract yielded 0.156 gram of alkaloids per cubic centimeter (about ½ the minimum required by the United States Pharmacopœia); the aconite tincture yielded 0.0794 gram of alkaloids per 100 cubic centimeters (44 per cent above the maximum permitted by the United States Pharmacopœia); the quinine sulphate pills, labeled "2 grs.," contained 1.75 grains of quinine sulphate each; the nitroglycerin tablets, labeled "1/100 grain," contained 1/188 grain of nitroglycerin each.

Adulteration of the tincture of aconite was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality or purity as determined by the tests laid down in said pharmacopœia, official at the time of investigation, in that it yielded more than 0.055 gram of ether soluble alkaloids of aconite per 100 mls, whereas said pharmacopœia provided that tincture of aconite should yield not more than 0.055 gram of ether soluble alkaloids of aconite per 100 mls, and the standard of strength, quality and purity of the article was not declared on the container thereof.

Adulteration of the remaining articles was alleged in substance for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that the labels represented that the various tablets or pills contained 2 grains of quinine sulphate, $\frac{1}{2}$ grain of morphine sulphate, $\frac{1}{100}$ grain of nitroglycerin, $\frac{1}{4}$ grain of morphine sulphate, $\frac{1}{2}$ grain of caffeine, and $\frac{1}{2}$ grain of soda benzoate, or $\frac{1}{30}$ grain of strychnine sulphate, as the case might be, and that the said belladonna leaves fluidextract contained 0.3 gram of mydriatic alkaloids in each 100 cubic centimeters, whereas the said tablets contained less of the said products than declared on the labels, and the belladonna leaves fluidextract contained less than 0.3 gram of mydriatic alkaloids in each 100 cubic centimeters.

Misbranding of the said tincture of aconite was alleged for the reason that the statements, to wit, "Tincture Of Aconite (Tincture Aconiti U. S. P.) Assayed * * * One hundred mls yields not * * * more than 0.055 gm. of the ether soluble alkaloids of Aconite," borne on the label, were false and misleading, in that the said statements represented that the article was tincture of aconite which conformed to the tests laid down in the United States Pharmacopœia, and that it yielded not more than 0.055 gram of ether soluble alkaloids of aconite per 100 mls, whereas it was not tincture of aconite which conformed to the tests laid down in the said pharmacopœia and did yield more than 0.055 gram of ether soluble alkaloids of aconite per 100 mls.

Misbranding of the remaining products was alleged for the reason that the statements, to wit, "Quinine Sulphate Pills, 2 grs.," "Fluid Extract Belladonna Leaves * * * Standardized to contain 0.3 Gm. of mydriatic alkaloids in each of 100 cc.," "Tablets * * * Morphine Sulphate 1-2 grain," "Tablets Nitroglycerin 1-100 grain," "Tablets * * * Morphine Sulphate $\frac{1}{4}$ grain," "Tablets * * * Caffeine $\frac{1}{2}$ Grain Soda Benzoate $\frac{1}{2}$ Grain," and "Tablets * * * Strychnine Sulphate 1-30 Gr.," as the case might be, borne on the labels of the respective products, were false and misleading, in that the said statements represented that the tablets or pills contained the amount of quinine sulphate, morphine sulphate, nitroglycerin, caffeine, soda benzoate, and strychnine sulphate represented on the label, and that the said belladonna leaves fluidextract contained 0.3 gram of mydriatic alkaloids in each 100 cubic centimeters of the product, whereas the tablets and pills contained less of the above products than declared on the labels, and the belladonna leaves fluidextract contained less than 0.3 gram of mydriatic alkaloids in each 100 cubic centimeters.

On June 22, 1926, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

14432. Adulteration and misbranding of canned tuna. U. S. v. Marius deBruyn (M. deBruyn Importing Co.). Plea of guilty. Fine, \$500. (F. & D. No. 19704. I. S. Nos. 13474-v, 14145-v to 14151-v, incl., 14381-v, 14735-v, 14736-v, 14737-v, 14738-v, 14740-v, 14742-v, 14748-v, 14749-v, 15624-v, 16254-v, 16486-v, 24590-v.)

On January 6, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Marius deBruyn, trading as M. deBruyn Importing Co., New York, N. Y., alleging shipment by said defendant, in violation of the food and drugs act, between the approximate dates of December 2, 1924, and February 21, 1925, from the State of New York in various consignments into the respective States of Georgia, Florida, Massachusetts, Tennessee, New Jersey, Kentucky, Pennsylvania, Virginia and Michigan, of quantities of canned tuna fish which was adulterated and misbranded. The article was labeled in part: (Can) "Juanita Brand California Tuna Standard All Light Meat * * * Packed For Discriminating Trade Only."

Adulteration of the article was alleged in the information for the reason that a substance, to wit, yellowtail, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for California tuna, all light meat, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "California Tuna * * * Standard All Light Meat Packed For Discriminating Trade Only," borne on the label, was false and misleading, in that the said